

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS**

EL PASO DIVISION

In Re:

**PETER FELIX and wife,
MARINA FELIX,**

Debtors.

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CASE NO. 16-31028

CHAPTER 13

**OBJECTION TO THE CLAIM OF RREF II CB ACQUISITIONS, LLC; COMPASS
BANK; STATE NATIONAL BANK, CLAIM #2**

NOTICE

THIS PLEADING REQUESTS RELIEF THAT MAY BE ADVERSE TO YOUR INTERESTS.

IF NO TIMELY RESPONSE IS FILED WITHIN TWENTY-ONE (21) DAYS FROM THE DATE OF SERVICE, THE RELIEF REQUESTED HEREIN MAY BE GRANTED WITHOUT A HEARING BEING HELD.

A TIMELY FILED RESPONSE IS NECESSARY FOR A HEARING TO BE HELD.

TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. BANKRUPTCY JUDGE:

Come now, **PETER FELIX and MARINA FELIX**, Debtors, by and through their attorney of record in this case, **ERIC M. MARTINEZ** with the **MARTINEZ LAW FIRM**, and respectfully files this Objection to the Claim of **RREF II CB ACQUISITIONS, LLC** being **Claim No. 2** on the Court's Claim Docket in the amount of \$729,131.52. As grounds, Debtors would show the Court as follows:

I.

The Debtors filed for relief under Chapter 13 of Title 11 of the Bankruptcy Code on July 7, 2016, proposing monthly payments of \$3,400.00 for sixty (60) months, with an anticipated dividend of approximately 12% to unsecured creditors. Debtors' plan has not been confirmed.

II.

Debtors respectfully requests that the claim of **RREF II CB ACQUISITIONS, LLC** be denied. The loan was taken out by Viva International, Inc. with a personal guarantee by the debtors. This debt is currently being paid by the corporation. The corporation, Viva International, Inc., filed a Chapter 11 Bankruptcy, filed on August 12, 2013, in cause number 13-31317, to help reorganize it's debts.

WHEREFORE, PREMISES CONSIDERED, Debtors pray that after notice to creditor and parties in interest, the claim of **RREF II CB ACQUISITIONS, LLC**, being Claim No. 2 on the Court's Claim Docket in the amount of \$729,131.52, be removed in its entirety.

DATED this the 1st day of August, 2016.

Respectfully submitted,

MARTINEZ LAW FIRM

/s/Peter Felix

PETER FELIX, Debtor

/s/Marina Felix

MARINA FELIX, Debtor

/s/Eric M. Martinez

ERIC M. MARTINEZ

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Attorney for Debtors

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CERTIFICATE OF SERVICE

I hereby certify that I have mailed/delivered a true and correct copy of the foregoing instrument to Mr. Stuart C. Cox, Standing Chapter 13 Trustee, 1760 N. Lee Trevino, El Paso, TX 79936, to the Debtors, Mr. & Mrs. Peter Felix, 11534 Jacquelin Ann, El Paso, TX 79936, and to the Creditor, RREF II CB ACQUISITIONS, LLC; c/o Jones Walker LLP, 201 S. Biscayne Blvd., Ste. 2600, Miami, FL 33131, on this the 1st day of August, 2016.

/s/Eric M. Martinez

ERIC M. MARTINEZ

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

In Re:

**PETER FELIX and wife,
MARINA FELIX,**

Debtors.

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CASE NO. 16-31028

CHAPTER 13

**ORDER GRANTING DEBTORS'
OBJECTION TO THE CLAIM OF RREF II CB ACQUISITIONS, LLC; COMPASS
BANK; STATE NATIONAL BANK, CLAIM #2**

Came on to be considered, the Objection to the Claim filed herein by the Debtors, **PETER FELIX and MARINA FELIX**, by and through their attorney of record, **ERIC M. MARTINEZ with the MARTINEZ LAW FIRM**, objecting to the claim of **RREF II CB ACQUISITIONS, LLC** being Claim No. 2 on the Court's Claim Docket in the amount of \$729,131.52.

Notice of filing of the Objection was issued to **RREF II CB ACQUISITIONS** and parties interest in this proceeding. The Notice specified that the Objection would be approved by the Court unless a written objection to the action was filed with this Court within twenty-one (21) days from the date of the Notice. No written objection to the Objection was filed within the time allowed, it is, therefore;

ORDERED, ADJURED AND DECREED that the Claim of **RREF II CB ACQUISITIONS, LLC**, in the amount of \$729,131.52, being Claim No. 2, be removed from the Court's Claim Docket in its entirety.

IT IS FURTHER ORDERED that a copy of this order will be served by the Clerk's office upon the claimant **RREF II CB ACQUISITIONS, LLC**, c/o Jones Walker LLP, 201 S. Biscayne Blvd., Ste. 2600, Miami, Florida 33131.

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Prepared by: MARTINEZ LAW FIRM
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